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Notice of Allowability	Application No.	Applicant(s)	
	10/765,667	DROVETSKAYA ET AL.	
	Examiner	Art Unit	
	Gregory R. Del Cotto	1751	
The MAILING DATE of this communication appe All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this applied or other appropriate communication IGHTS. This application is subject to	plication. If not includ will be mailed in due	ed course. THIS
1. This communication is responsive to <u>Amend. filed 8/11/05</u> .			
2. The allowed claim(s) is/are 1, 5-13 renumbered 1-10.			
3. ☐ Acknowledgment is made of a claim for foreign priority una a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have 2. ☐ Certified copies of the priority documents have 3. ☐ Copies of the certified copies of the priority documents have International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" on the delow. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitined in the submitined priority and including changes required by the Notice of Draftspers 1) ☐ hereto or 2) ☐ to Paper No./Mail Date (b) ☐ including changes required by the attached Examiner's Paper No./Mail Date Identifying Indicia such as the application number (see 37 CFR 1. each sheet. Replacement sheet(s) should be labeled as such in the depose attached Examiner's comment regarding REQUIREMENT I	e been received. e been received in Application No cuments have been received in this of this communication to file a reply IENT of this application. itted. Note the attached EXAMINER es reason(s) why the oath or declara est be submitted. con's Patent Drawing Review (PTO- es Amendment / Comment or in the Ce 84(c)) should be written on the drawing the header according to 37 CFR 1.121(c) sit of BIOLOGICAL MATERIAL re	national stage application of the front (not the d). nust be submitted.	quirements
Attachment(s) 1. ☑ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date 10/10/05 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. ⊠ Examiner's Stateme	(PTO-413), le <u>10/18/05</u> . nent/Comment	owance

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David LeCroy on October 18, 2005.

The application has been amended as follows:

The Specification:

On page 1, as the first sentence after the title, insert – This application claims priority under 35 USC 119(e) to US Provisional Application 60/446,667, filed February 11, 2003. --.

The Claims:

In claim 1, line 12, after "selected from" insert – the group consisting of --.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Claim 1 and 5-12 is directed to an allowable product. Pursuant to the procedures set forth in the Official Gazette notice dated March 26, 1996 (1184 O.G. 86), claim 13, directed to the process of making or using the patentable product, previously withdrawn from consideration as a result of a restriction requirement, is now subject to being rejoined. Claim 13 is hereby rejoined and fully examined for patentability under 37 CFR 1.104.

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Since all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, the restriction requirement made in the Office action mailed on 4/20/05 is hereby withdrawn.

Note that, Applicant's amendments, Applicant's arguments, and the Examiner's Amendment are sufficient to place the instant claims in condition for allowance. Of the references of record, JP 223,509 teaches a hair dressing resin composition characterized by comprising 1:2-1:10 by weight of a mixture of cationic/amphoteric polymer consisting of 5 to 60 mole percent of cationized repeating units, 95 to 40 mole percent of amphoterized repeating units; and an anionic polymer. See Claim 1. However, '509 does not teach the specific cationic/ampholytic polymer as recited by the instant claims.

None of the references of record, alone or in combination, teach or suggest, a composition containing a cationic/ampholytic polymer, an anionic benefit agent, and the other requisite components of the composition in the specific proportions as recited by the instant claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory R. Del Cotto whose telephone number is (571)

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272-1312. The examiner can normally be reached on Mon. thru Fri. from 8:30 AM to

6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor. Yogendra Gupta can be reached on (571) 272-1316. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300,

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Gregory R. Del Cotto Primary Examiner

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GRD

October 17, 2005